

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

MDL 2804

Case No. 1:17-MD-2804

Hon. Dan. A. Polster

This document relates to:

**Case Track 12: *City of Rochester v.
Purdue Pharma, L.P.*, No. 19-op-45853**

**Case Track 13: *Lincoln County v. Richard
S. Sackler, M.D.*, No. 20-op-45069**

**Case Track 14: *City of Independence,
Missouri v. Williams*, No. 19-op-45371**

**Case Track 15: *County of Webb, Texas v.
Purdue Pharma, L.P.*, No. 18-op-45175**

**NOTICE OF FILING PLAINTIFFS' MOTION FOR LEAVE TO AMEND AND
SUPPLEMENT COMPLAINTS IN THE PBM BELLWETHER ACTIONS and
UNSEALED RELATED EXHIBITS**

The Plaintiffs' Executive Committee ("PEC") hereby provides notice of, and files into the public record, the previously filed Plaintiffs' Motion for Leave to Amend and Supplement Complaints in the PBM Bellwether Actions, ECF No. 5277 (December 15, 2023), along with exhibits referenced therein. Although this motion was previously filed on the public record, exhibits 1-4 thereto were not publicly filed due to prior confidentiality designations and/or the unsealing process previously established by the Court. Specifically, the following exhibits were not previously filed publicly:

**Exhibit 1: PLAINTIFF THE CITY OF ROCHESTER, NEW YORK'S
SUPPLEMENTAL AND AMENDED ALLEGATIONS TO BE ADDED TO THE
VERIFIED COMPLAINT AND JURY DEMAND**

Exhibit 2: PLAINTIFF LINCOLN COUNTY, MISSOURI'S SUPPLEMENTAL AND AMENDED ALLEGATIONS TO BE ADDED TO COMPLAINT

Exhibit 3: PLAINTIFF CITY OF INDEPENDENCE, MISSOURI'S SUPPLEMENTAL AND AMENDED ALLEGATIONS TO BE ADDED TO COMPLAINT

Exhibit 4: PLAINTIFF WEBB COUNTY, TEXAS' SUPPLEMENTAL AND AMENDED ALLEGATIONS TO BE ADDED TO SECOND AMENDED COMPLAINT

As a result of the PEC's confidentiality challenges as well as a subsequent ruling,¹ exhibits 1-4 can now be unsealed and filed publicly with redactions in two paragraphs of each document. In keeping with the prior filing at ECF No. 5277 and pursuant to the Court's redaction procedures, the PEC hereby refiles in the record the December 15, 2023, Plaintiffs' Motion for Leave to Amend and Supplement Complaints in the PBM Bellwether Actions, along with the unsealed versions of exhibits 1-4 referenced therein - with redactions as outlined by the 1/22/2024 Order Regarding Disputed Redactions, ECF No. 5287.

Dated: January 31, 2024

Respectfully submitted,

Jayne Conroy
SIMMONS HANLY CONROY
112 Madison Avenue, 7th Floor
New York, NY 10016
(212) 784-6400
jconroy@simmonsfirm.com

Joseph F. Rice
MOTLEY RICE
28 Bridgeside Blvd.
Mt. Pleasant, SC 29464
(843) 216-9000
(843) 216-9290 (Fax)
jrice@motleyrice.com

¹ Plaintiffs challenged PBM Defendants Express Scripts, Inc.'s and OptumRx, Inc.'s proposed redactions to various paragraphs in the PBM bellwether plaintiffs' supplemental and amended allegations to be added to their respective complaints. Special Master Cohen ruled that the PBM Defendants' proposed redactions were unsupported with the exception of two paragraphs from each complaint. (Order Regarding Disputed Redactions, ECF No. 5287 (January 22, 2024)).

Paul T. Farrell, Jr., Esq.
FARRELL & FULLER LLC
1311 Ponce de Leone Ave., Suite 202
San Juan, PR 00907
(304) 654-8281
paul@farrellfuller.com

Plaintiffs' Co-Lead Counsel

Peter H. Weinberger (0022076)
SPANGENBERG SHIBLEY & LIBER
1001 Lakeside Avenue East, Suite 1700
Cleveland, OH 44114
(216) 696-3232
(216) 696-3924 (Fax)
pweinberger@spanglaw.com

Plaintiffs' Liaison Counsel

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of January, 2024, I have electronically filed the foregoing with the Clerk of Court using the CM/ECF System. Copies will be served upon counsel of record by, and may be obtained through, the Court's CM/ECF System.

s/Peter H. Weinberger
Peter H. Weinberger